



**Montgomery County, MD
Commission on People with Disabilities
Meeting Summary Minutes
September 15th, 2010**

Welcome and Approval of June Meeting Summary Minutes:

Aaron Kaufman, Vice-Chair, convened the meeting. Charlie Crawford, Commissioner, motioned for the June Meeting Summary Minutes to be approved. Daphne Pallozzi, Commissioner, seconded the motion. A vote was taken and the June Meeting Summary Minutes were unanimously approved as written.

Presentation: "ADA Update and Introduction of ADA Compliance Team" – Nancy Greene, ADA Compliance Officer

Nancy Greene has been the County's ADA Compliance Officer since 2001 and has split her time between ADA compliance and Health Insurance Portability and Accountability Act (HIPAA). As of July 1st, 2010, her position was moved to the Department of General Services (DGS) and she is now working full time on ADA Compliance issues. The Commission wrote a letter to the County Council against the position being moved, but Nancy thinks it is a good fit as DGS is comprised of Real Estate and Management Services, Office of Procurement, Building Design & Construction, Fleet Management Service, and Facilities Management.

The Department of Justice's (DOJ) Project Civic Access Initiative is a wide-ranging effort to ensure that counties, cities, towns, and villages comply with the ADA by eliminating physical and communication barriers that prevent people with disabilities from participating fully in community life. Several years ago, DOJ reviewed approximately 115 facilities and buildings within Montgomery County that were either County owned or leased as well as policies such as communication systems. After three years, DOJ came back to the County with a draft settlement agreement which is still under negotiation. The County has created an ongoing capital project with a budget of \$20M over the next six years to address the settlement. The capital project will complete the remediation work on the buildings and facilities that DOJ identified as having problems and proactively review other buildings and facilities. DGS wants new construction to be thoroughly reviewed before the building is completed. They will also be considering accessibility and the ADA in regards to rental properties. Once the DOJ Settlement Agreement has been approved, it will be available online for public viewing. Montgomery County was DOJ's first attempt at reviewing a large county.

As part of this project, an ADA Compliance Team was created to handle the DOJ settlement, ADA compliance work, training and technical assistance for County employees, complaint resolution, and grievance process. Along with Nancy, the team is comprised of Steven Maggi, Anil Saini and Barry Alpher. Anil will handle MC 311 phone calls, complaint resolution, and financial and administrative support. Steven is a construction representative with 24 years in the construction trade. He will be working with contractors on bringing buildings up to ADA standards. Barry will be assisting Anil on MC 311 calls and complaint resolution, and maintaining the County's ADA website and various databases. Nancy will send out their contact information once their phones have been set up. Nancy's new number is 240-777-6023 (V). They are always happy to hear from the Commission with ideas, suggestions, complaints, etc., and they are willing to work on Commission projects and subcommittees.

At the recommendation of the Commission, the ADA Compliance Team will be completing ADA accessibility surveys of new buildings when they open. The first survey was completed two weeks ago at the new Silver Spring Civic Building with John Salmen's team from Universal Designers & Consultants,

Inc. Nancy is hoping they will be able to review the plans for the new Judicial Center before they go out for bid.

DGS is hosting "Lunch and Learn" seminars to educate employees on the ADA and accessibility. Last week, Joe Duarte of Duarte, Inc., gave an interactive presentation focusing on assistive listening technologies to accommodate people with a hearing loss. ADA training will soon be a requirement for employees.

The new [ADA Regulations Title II and Title III](#) were posted in the Federal Register today. Six months from now on March 15th, 2011, they will become effective. 18 months from now all new buildings and alterations are required to follow the new standards. Nancy is looking to the Commission to assist the County with decisions regarding the new Title II and Title III revisions. She highlighted a few changes:

- The new ADAAG states that assistive listening devices are required in any rooms that currently have a public address (PA) system. However, DGS wants to install portable systems in rooms where a PA is not currently installed. Nancy has already contacted former Commissioner Lise Hamlin about assistive listening devices.
- The definition of service animal in terms of public accommodation has been changed to no longer allow a wide variety of animals, only dogs. Entities must decide on their policy of whether to allow small ponies and horses as service animals.
- The County will have to address other mobility devices, such as Segways and larger mobility devices, that individuals are using now and where they can be accommodated within the County.

The ADA has also issued four advanced notices of proposed rulemaking for public comment. The notices include: [Accessibility of Web Information and Services Provided by Entities Covered by the ADA](#), [Movie Captioning and Video Description](#), [Accessibility of Next Generation 9-1-1](#), and [Equipment and Furniture](#). The Equipment and Furniture rulemaking pertains to a wide range from medical and exercise equipment to interactive kiosks and ATMs. The 9-1-1 rulemaking discusses having the system be able to take contact information from cell phones and other communication devices.

Nancy noted that Montgomery College is offering a course in audio description as part of its Workforce Development Program. The course is being taught by Joel Schneider. She added that the Early Childhood Services Division for Health & Human Services has instituted a new Committee to address barriers to child care. The group is comprised of individuals from the County, Montgomery County Public Schools, various nonprofits, and day care providers. Nancy and Barry have joined the Committee.

Nancy opened the floor to questions.

Betsy Luecking inquired as to who is responsible for HIPAA now. Debbie Rosenberg is now Acting Deputy Privacy Official for HIPAA.

Charlie Crawford, Commissioner, asked about notification of stops on buses for individuals who are visually impaired. In his experience, bus drivers do not announce bus stops. Nancy said that all of the new buses the County is purchasing have automatic announcements so riders don't need to rely on the driver to announce the stops. If anyone is having an issue with bus stop announcements, please let Nancy know so she can work with Ride On to track the complaint. Charlie asked if a sign could be posted in the bus that passengers could easily see notifying riders that the bus is equipped with an enunciator and if it is not functioning properly to contact Ride On. Nancy will look into this. She also addressed the issue of ensuring that bus drivers are trained to make announcements. Joy Barrow, Department of Transportation (DOT), said she will take the issue back to Carolyn Biggins, Chief, Division of Transit Services.

Trish Gallalee, Commissioner, asked who is handling the assessments of facilities and buildings. Nancy said that DOJ handled the initial assessment. The County hired John Salmen of Universal Designers &

Consultants, Inc. to give an accessibility assessment of the Silver Spring Civic Building (SSCB). The SSCB was not included in the DOJ assessment, but the County wanted to make sure the building is fully accessible.

Update from the Chair and Vice Chair:

Aaron Kaufman, Vice-Chair, appointed a nominating committee for Chair and Vice-Chair. Commissioners Daphne Pallozzi, Sandra Sermons, Marcie Povitsky, and Cindy Buddington volunteered to be on the nominating committee.

Workgroup Announcements: None.

Roundtable:

Paul Meyer, Commissioner, expressed his concerns over the new MetroAccess policy. Washington Metropolitan Area Transit Authority (WMATA) is no longer picking up riders that live outside of the $\frac{3}{4}$ mile fixed-route service. Riders who are current MetroAccess customers are being grandfathered into this new policy. MetroAccess has also instituted a new fare policy with one way fares starting at \$3.00 with a maximum fare of \$7.00. Aaron Kaufman, Commissioner, also addressed the subscription trip service which requires that an individual travel to the same destination for 30 days before they can apply for this type of service. The times for on demand service vary substantially and are not reliable. Sandra Sermons, Commissioner, motioned for Paul Meyer and Mark Maxin, Chair, to draft a letter to send to MetroAccess about these issues. Marcie Povitsky, Commissioner, seconded the motion. A vote was taken and was passed with a vote of 16 to 1. Charlie Crawford abstained.

Marcie Povitsky, Commissioner, announced that University of Shady Grove is hosting Community Day on September 25th, 2010, from 10:00 a.m. to 2:00 p.m. It is a family-friendly event featuring over 60 interactive exhibits, activities for children, live performances, food, and many other exciting activities for all ages.

Seth Morgan, Commissioner, announced that the Health & Wellness Workgroup was meeting on Wednesday, September 22nd, 2010, from 5:00pm to 5:30pm at 401 Hungerford Drive, Rockville.

Daphne Pallozzi, Commissioner, represents the Commission for the Maryland Alliance of Disability Commissions and Committees. She accepted an award on behalf of Betsy for outstanding performance in her work on innovative initiatives in universal housing and employment for individuals with disabilities and veterans which has made Montgomery County and Maryland more accessible for all.

Angela Washington, Commissioner, thanked the Commission on behalf of Joe Adler, Director of Office of Human Resources, for their work and support for the Hiring Preference for Individuals with Disabilities. Angela will be working with staffing managers to review the interview and hiring process. Angela's team will be taking a more proactive and aggressive approach with each department and ensuring there is diversity which includes people with disabilities on interview panels. Office of Human Resources would like to engage the Commission during the process.

Joy Barrow, Special Transportation, DOT, discussed issues that Commissioners brought up at the last Commission meeting. In regards to clear marking of accessible spaces and enforcement of accessible parking regulations, questions and complaints should be directed to Stephen Nash, DOT, who is in charge of parking operations and parking lot facilities. His contact number is 240-777-8711 (V) or e-mail Stephen.Nash@montgomerycountymd.gov. Joy also handed out a brochure titled "At A Glance" that was developed as part of a Senior Transportation Committee. To request a copy, contact Joy at 240-777-5895 (V).

Meeting adjourned at 7:30pm

Next Full Commission Meeting: Wednesday, October 13th, 2010 – EOB, 101 Monroe Street, Rockville, MD – Lobby Auditorium, 6:00 p.m. to 7:30 p.m.

Steering Committee Meeting: Wednesday, October 20th, 2010 - 401 Hungerford Drive, Rockville, MD - 1st Floor Tan Conference Room, 5:30pm to 7:00pm

Submitted by: Carly Clem, Office Services Coordinator
Betsy Luecking, Disability Policy Specialist